

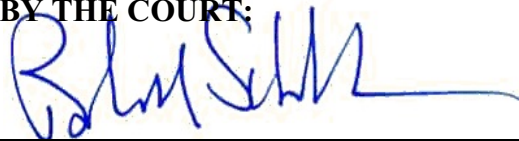
**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>H2L2 ARCHITECTS/PLANNERS, LLC, :</b>	<b>:</b>	
<b>Plaintiff,</b>	<b>:</b>	<b>CIVIL ACTION</b>
	<b>:</b>	
<b>v.</b>	<b>:</b>	
	<b>:</b>	
<b>TOWER INVESTMENTS, INC,</b>	<b>:</b>	<b>No. 12-6927</b>
<b>Defendant.</b>	<b>:</b>	

**ORDER**

**AND NOW**, this 31<sup>st</sup> day of **January, 2013**, upon consideration of Defendant's Motion to Dismiss Count IV and Count V of Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6), Plaintiff's response thereto<sup>1</sup>, and for the reasons provided in this Court's Memorandum dated January 31, 2013, it is hereby **ORDERED** that the motion (Document No. 5) is **DENIED**.

**BY THE COURT:**



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**Berle M. Schiller, J.**

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<sup>1</sup> Plaintiff filed its response to Defendant's motion late. Local Rule 7.1(c) affords parties fourteen days to respond to a motion to dismiss.